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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER

JOHNSON, VICKY A

ART UNIT	PAPER NUMBER
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3682

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Please find below and/or attached an Office communication concerning this application or proceeding.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/840,434
Filing Date: April 23, 2001
Appellant(s): HUMMEL ET AL.

Steven J. Hampton
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed August 23, 2004.

A statement identifying the real party in interest is contained in the brief.

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

The statement of the status of the claims contained in the brief is correct.

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

The summary of invention contained in the brief is correct.

The appellant's statement of the issues in the brief is correct.

The rejection of claims 1-9 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

The copy of the appealed claims contained in the Appendix to the brief is correct.

5,989,140	ICHIKAWA	11-1999
270,723	AYDELOTT	1-1883

Claims 1-6 and 9 are rejected under 35 U.S.C. 102 (b) and claims 7 and 8 are rejected under 35 U.S.C. 103 (a). This rejection is set forth in a prior Office Action, mailed on January 13, 2004.

The applicant argues that the Ichikawa fails to meet the limitations of the claims, because it fails to disclose extended contact of the chain links with a sprocket. Claim 1 requires that the links of the link rows ... "overlie the sprocket protrusions and contacts said low profile protrusions along at least the majority of the length of the surface for driving contact with the low profile protrusions". The Ichikawa reference meets the limitations of the claims, because the inner surface of the chain that contacts the sprocket surface contacts more than half of the contact surface. In column 4 lines 20-33 Ichikawa discloses that the low profile teeth of the sprocket 6 "abut and support the flat faces F." Figure 1 shows the low profile protrusion contacting more than half the contact surface F of the chain.

The Ichikawa reference states that "...the tops 6A of the arcuate teeth abut and support the flat faces F..." and these surfaces are found between a center of a member joining the link to one adjacent row of links and a center of a member joining the link to an adjacent row of links, and as seen in Figure 1 the surfaces are contacting the sprocket along the majority of the length of the surface as claimed.

The applicant also argues that the Ichikawa reference fails to meet the limitations of the claims because the distance between the centers of the pin holes must also include the sub teeth t'. Figure 3 shows a link 3 having a surface F that is at least the distance between the centers of the pin holes.

In column 2 lines 43-53 the sub-teeth, the articular train plates, and the guide train plates come into engagement with the sprocket and the transfer of power is performed. Therefore, the Ichikawa et al reference meets the limitations of the claims.

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It is further argued that the limitations of claims 7 and 8 are not disclosed in the either the Ichikawa reference nor the Aydelott reference. Claim 7 only requires that "the back side sprockets surfaces are generally flat." The Ichikawa reference shows in Figures 1 the back-side sprocket surfaces are generally flat, specifically, the sides of the teeth and the top of the tooth 6A. Further, Adylott shows the contact surface of the sprocket are flat at the teeth and the sides of the sprocket are generally flat. Claim 8 requires that sprocket surfaces are generally flat between the first and second ends and that extend outwardly from the back side surface. Both of the references show that the sprocket teeth sides extend outwardly from the back side surface and the surfaces between the teeth are generally flat, therefore the references meet the limitations of the claims.

For the foregoing reasons claims 1-9 are not distinguishable over the prior art of record. The Office Action's rejections should be sustained.

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Respectfully submitted,

Vicky A. Johnson
Examiner
Art Unit 3682

VAJ
November 1, 2004

Conferees
Dab J
Jwl
Vaj


DAVID A. BUCH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661